

CHAPTER NO. 350

SENATE BILL NO. 2154

By Herron

Substituted for: House Bill No. 2077

By Maddox

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 68, Chapter 215, relative to petroleum underground storage.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:


SECTION 1. Tennessee Code Annotated, Section 68-215-121(a)(1), is amended by adding the following language at the end of the subdivision after the language and punctuation "resulting therefrom.":

In deciding whether to assess a civil penalty and determining the amount of such assessment, the commissioner, board, or court may consider all of the circumstances surrounding the violation, including the past compliance history of the violator, the degree of risk posed to the environment by the violation, as well as the factors enumerated in subsection (c).

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.

PASSED: May 19, 2005


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 7th day of June 2005


PHIL BREDESEN, GOVERNOR